



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

August 5, 2013

C.L. "BUTCH" OTTER
Governor

Janet Smith
KC Hyrum Smith
311 E 1220 S
Vernal UT 84078

GARY SPACKMAN
Director

RE: Notice of Change in Water Right Ownership
Water Rights: 11-7551

Dear Sir/Madam:

On May 10, 2013, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership, specifically a deed for the entire place of use of the water right or a deed from the current owner of the water right for the water right only to you, if it was determined that you are only entitled to a portion of the water right the an additional filing fee would be required. The filing for an ownership change resulting in a division of the water right is \$100.00 per water right. On June 27, 2013 (copy enclosed), we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$25.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
11-7551	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Steven Reed Smith
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Janet Smith or/and KC Hyrum Smith
New owner(s) as listed on the conveyance document Name connector ☒ and ☒ or ☒ and/or
- 311 E. 1220 S. Vernal Utah 84078
Mailing address City State ZIP
- 208-226-6843 janet.smith@usu.edu
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: Jan. 16, 2013
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
7. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - ☒ \$25 per undivided water right.
 - ☐ \$100 per split water right.
 - ☐ No fee is required for pending adjudication claims.

8. Signature: Janet Smith May 10, 2013
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by WCF Date 5/10/2013 Receipt No. E038678 Receipt Amt. \$25. -

Approved by _____ Processed by _____ Date _____

Instrument # 214253

BEAR LAKE COUNTY

2-8-2013 01:21:38 No. of Pages: 4

Recorded for : DAVID ELMO SMITH

KERRY HADDOCK

Ex-Officio Recorder Deputy

Index to: QUIT CLAIM DEED

Fee: 19.00

Kerry R. Haddock

QUITCLAIM DEED

FOR VALUE RECEIVED:

David Elmo Smith of Evanston Wyoming, DaLene Smith of Preston, Idaho, Janet Smith of Vernal, Utah, and Steven Reed Smith of Preston, Idaho,

do hereby convey, release, remise and forever quit claim unto Janet Smith, whose current address is 311 East 1220 South, Vernal, Utah, 84078,

the following described premises, in Franklin County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

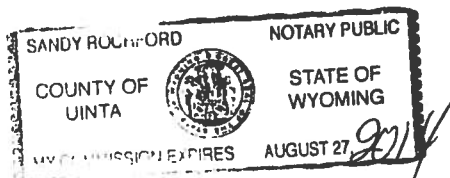
Together with all appurtenances thereto.

DATED: January 16, 2013.

David Elmo Smith
David Elmo Smith

STATE OF ~~IDAHO~~ *Wyo.* }
County of ~~Franklin~~ *Uinta* } ss

On this 16 day of January, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared David Elmo Smith, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Sandy Rounford
NOTARY PUBLIC for State of ~~Idaho~~ *Wyo.*

Residing at: *936 American Dr. Chandler, WY*

Comm. Exp: *08/27/2014*

DATED: January 30, 2013.

Steven Reed Smith

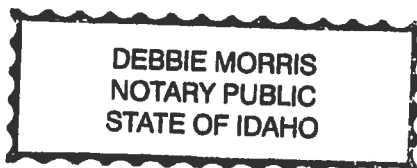
Steven Reed Smith

STATE OF IDAHO

County of Franklin

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}ss
)

On this 30th day of January, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven Reed Smith, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Debbie Morris
NOTARY PUBLIC for State of Idaho
Residing at: Lewiston, UT
Comm. Exp: 7/19/16

DATED: January 30, 2013.

DaLene Smith

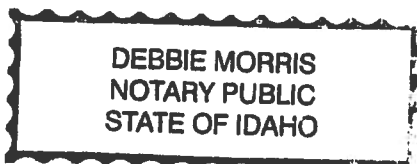
DaLene Smith

STATE OF IDAHO

County of Franklin

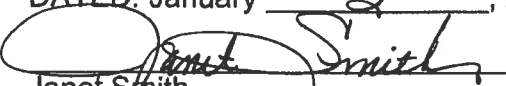
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On this 30th day of January, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared DaLene Smith, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.



Debbie Morris
NOTARY PUBLIC for State of Idaho
Residing at: Lewiston, UT
Comm. Exp: 7/19/16

DATED: January 3, 2013.


Janet Smith

STATE OF IDAHO

County of Franklin

} ss

On this 3rd day of January, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Janet Smith, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.




NOTARY PUBLIC for State of Idaho
Residing at:
Comm. Exp:

EXHIBIT A TO QUIT CLAIM DEED TO JANET SMITH

Section 24: The northeast quarter of the northwest quarter, and the north half of the northeast quarter, and the southeast quarter of the northeast quarter, the north 37 rods of the northeast quarter of the southeast quarter, Township 12 South, Range 42 East of the Boise Meridian, Bear Lake County, Idaho.

Excepting therefrom:

Beginning at the southeast corner of the northeast quarter of the southwest quarter of Section 13, in Township 12 South, Range 42 East of the Boise Meridian, Bear Lake County, Idaho thence north 330 feet; thence west 102 feet; to a point 25 feet east of the center of the county road, which is the point of beginning; thence southerly along said road at a distance of 25 feet from the center of said road, to a point approximately 363 feet south, and 255 feet east of the southwest corner of the northeast quarter of the southwest quarter of section 13;

Continuing in a southwesterly direction 25 feet from the center of said road, along said county road, to the southwest corner of the northeast quarter of the northwest quarter of section 24; thence west 50 feet, to a point 25 feet west of the center of the county road; thence northerly along said county road 25 feet west of the center of said road, to a point 152 feet west and 330 feet north of the southeast corner of the northeast quarter of the southwest quarter of section 13; excepting therefrom, all oil gas, and other mineral rights.

Excepting therefrom:

Beginning at the southwest corner of the northeast quarter of the southwest quarter of Section 13 in Township 12 South, Range 42 East of the Boise Meridian, Bear Lake County, Idaho; thence south 363 feet; thence east 205 feet to the county road right of way; thence north along said county right of way 363 feet; thence west 205 feet to the point of beginning; excepting therefrom all oil, gas, and other mineral rights.

